

AMENDMENTS TO THE DRAWINGS

The attached replacement sheet of drawings includes a change to Figure 7 to replace reference number "31" with reference number "11."

REMARKS

Claims 1-7 were pending in the present application, all of which stand rejected. Applicants believe that the reference to a Claim 8 in the Office Action is a typographical error, as no Claim 8 was pending at the time of examination. No claims are canceled in this response. New dependent Claim 8 has been added. Accordingly, Claims 1-8 are currently under consideration.

This response amends Claim 1 for clarity. The amendment to Claim 1 is supported at least by Claim 1 as originally filed and at page 6, line 16. The amendment to Claim 1 is not to be construed as a dedication to the public of any of the subject matter of the claim as previously presented. New Claim 8 is supported at least at page 12, line 29 to page 13, line 22. No new matter has been added.

The Drawings

Figure 7 is amended to correct a typographical error by replacing reference number “31” with reference number “11.” The amendment to Figure 7 is supported at least at page 12 lines 15-28. No new matter has been added.

Rejections under 35 USC § 102(b)

Claims 1 and 2 are rejected under 35 USC § 102(b) as being unpatentable over Paoli (US 5,699,375).

Claim 1, as amended, distinguishes over Paoli ‘375 at least by reciting a multi-wavelength laser device wherein “laser light emission points of the laser diodes are arranged with one behind another in the light emitting direction in order of wavelengths of the laser diodes with the laser emission point of the shortest wavelength laser diode positioned farthest in the light emitting direction” (emphasis added). As an illustrative example of the invention of Claim 1, not to be taken as limiting, in Figure 1 blue laser diode 12 is positioned on base 11 further in the light emitting direction than red laser diode 14, and red laser diode 14 is positioned on base 11 further in the light emitting direction than infrared laser diode 13. One of ordinary skill in the art would

recognize that in Figure 1 the light emitting direction is approximately parallel to ridge stripes 212, 312, and 412 and out of the page toward the reader.

In contrast, Paoli '375 discloses only devices in which the laser emission point of the longest wavelength laser diode is positioned farthest in the light emitting direction. For example, in Paoli '375 Figure 1, cited by the examiner, the laser emission point of laser cavity 130 is positioned farther in the light emitting direction than the laser emission point of laser cavity 140. In contrast to the invention of Claim 1, however, laser cavity 130 lases at a longer wavelength than does laser cavity 140. In particular, laser cavity 130 emits laser light only from active layer 112, laser cavity 140 emits laser light only from active layer 108, and active layer 112 lases at a longer wavelength than does active layer 108. (Column 8, lines 12-40.) The laser diodes of the other examples and figures in Paoli '375 are similarly arranged with the laser emission points of the longest wavelength laser diode positioned farthest in the light emitting direction.

Claim 2, directly dependent on Claim 1, distinguishes over Paoli '375 for at least the reasons for which Claim 1, as amended, distinguishes over Paoli '375. Hence, Applicants respectfully request that the Examiner withdraw the rejection of Claims 1 and 2 under 35 USC § 102(b).

Rejections under 35 USC § 103(a)

Claims 3, 6, and 7

Claims 3, 6, and 7 are rejected under 35 USC § 103(a) as being unpatentable over Paoli (US 5,699,375).

Claims 3, 6, and 7, each directly dependent on Claim 1, distinguish over Paoli '375 for at least the reasons for which Claim 1, as amended, distinguishes over Paoli '375. Hence, Applicants respectfully request that the Examiner withdraw the rejection of Claims 3, 6, and 7 under 35 USC § 103(a).

Claims 4 and 5

Claims 4 and 5 are rejected under 35 USC § 103(a) as being unpatentable over Paoli (US 5,699,375) in view of Paoli (US 5,963,568)

Paoli '568 does not cure the deficiencies of Paoli '375 with respect to the patentability of Claim 1, as amended. In particular, Paoli '568 does not teach or suggest a multi-wavelength laser device wherein "laser light emission points of the laser diodes are arranged with one behind another in the light emitting direction in order of wavelengths of the laser diodes with the laser emission point of the shortest wavelength laser diode positioned farthest in the light emitting direction" (emphasis added).

Claims 4 and 5, directly or indirectly dependent on Claim 1, distinguish over the combination of Paoli '375 and Paoli '568 for at least the reasons for which Claim 1, as amended, distinguishes over this combination. Hence, Applicants respectfully request that the Examiner withdraw the rejection of Claims 4 and 5 under 35 USC § 103(a).

New Claim 8

New Claim 8, directly dependent on Claim 1, distinguishes over the cited references for at least the reasons that Claim 1, as amended, distinguishes over the cited references.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 245402008500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 22, 2006

Respectfully submitted,

By Mark E. Schmidt

Mark E. Schmidt

Registration No.: 47,063

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304-1018

(650) 813-4222